

## SENATE.

FRIDAY, December 7, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

## ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

Mr. WOLCOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Fairbanks,	Kyle,	Pettus,
Bard,	Foster,	Lindsay,	Platt, N. Y.
Berry,	Frye,	Lodge,	Pritchard,
Beveridge,	Gallinger,	McLaurin,	Proctor,
Burrows,	Hale,	McMillan,	Quarles,
Clark,	Hansbrough,	Mallory,	Scott,
Clay,	Harris,	Martin,	Sewell,
Cockrell,	Hawley,	Mason,	Spooner,
Cullom,	Heitfeld,	Money,	Stewart,
Deboe,	Jones, Ark.	Morgan,	Taliaferro,
Dillingham,	Kean,	Perkins,	Teller,
Dolliver,	Kenney,	Pettigrew,	Wolcott.

The PRESIDENT pro tempore. Forty-eight Senators have responded to their names on the roll call. There is a quorum present.

## GUSTAV ISAK DAHLBERG.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

## To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State and accompanying papers relating to the claim against the United States of the Russian subject, Gustav Isak Dahlberg, master and principal owner of the Russian bark *Hans*, based on his wrongful and illegal arrest and imprisonment by officers of the United States district court for the southern district of Mississippi, and, in view of the opinion expressed by the Department of Justice that the said arrest and detention of the complainant were wrongful and without authority of law, I recommend the appropriation by Congress of the sum of \$5,000 to reimburse the master and owners of the vessel for all losses and damages incurred by reason of his said wrongful and illegal arrest and detention.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,  
Washington, December 6, 1900.

## FLORENTINO SUASTE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

## To the Congress of the United States:

I transmit herewith a report from the Secretary of State, with accompanying papers, in relation to the lynching in Llave County, Tex., on October 5, 1895, of Florentino Suaste, a Mexican citizen.

Following the course pursued in the case of the lynching of three Italian subjects at Hahnsville, La., on August 8, 1896, and in that of the lynching of the Mexican citizen, Luis Moreno, at Yreka, Cal., in August, 1895, I recommend the appropriation by Congress, out of humane consideration and without reference to the question of liability of the Government of the United States, of the sum of \$2,000, to be paid by the Secretary of State to the Government of Mexico and by that Government distributed to the heirs of the above-mentioned Florentino Suaste.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,  
Washington, December 6, 1900.

## REPORT OF BUREAU OF THE AMERICAN REPUBLICS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying report, referred to the Committee on Foreign Relations, and ordered to be printed:

## To the Senate and House of Representatives:

I transmit a communication from the Secretary of State inclosing the annual report of the Director of the American Republics, with accompanying documents.

The attention of Congress is called to the request of the Secretary of State that 2,500 copies of the report be printed for the use of the Bureau.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,  
Washington, December 6, 1900.

## MARITIME CANAL COMPANY OF NICARAGUA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to section 6 of the act of Congress approved February 26, 1899, the report of the Maritime Canal Company of Nicaragua; which, on motion of Mr. MORGAN, was, with the accompanying papers, referred to the Committee on Inter-oceanic Canals, and ordered to be printed.

## ENROLLED BILL SIGNED.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 12283) in relation to the celebration of the centennial anniversary of the establishment of the permanent seat of government in the District of Columbia; and it was thereupon signed by the President pro tempore.

## PETITIONS AND MEMORIALS.

Mr. GALLINGER. Mr. President, I have been handed a telegram addressed to the President of the Senate, which is of sufficient importance that it should be read to the Senate. It is dated New Orleans, La., December 6, and is as follows:

NEW ORLEANS, LA., December 6, 1900.

THE PRESIDENT OF THE UNITED STATES SENATE,  
Washington, D. C.

The Southern Industrial Convention, now in session, passed the accompanying resolutions and directed they be sent to you to be read to the Senate: *Be it resolved*, That the upbuilding of our American merchant marine is very important to the further development of Southern industry, and, therefore, we recommend to our National Congress the early passage of a ship subsidy bill for all American vessels, which shall be equitably based upon the tonnage actually carried, besides compensation for carrying the mails.

N. F. THOMPSON, Secretary.

I move that this important telegram, in the nature of a petition, be referred to the Committee on Commerce.

The motion was agreed to.

Mr. PENROSE presented a petition of the pastors of sundry churches of Turtle Creek, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry druggists of Bellefonte, Pa., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of the executive committee of the Home Missionary Society of the Presbytery of Washington, Pa., and a petition of the Children's Aid Society of Washington County, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. KYLE presented a petition of the Woman's Christian Temperance Union of Brookings, S. Dak., and a petition of the South Dakota Christian Temperance Union, praying for the enactment of legislation to abolish the Army canteen; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in our new island possessions; which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. PLATT of New York presented 157 petitions of citizens of New York, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. KEAN presented 45 petitions of citizens of New Jersey, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented 13 petitions of citizens of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented 11 petitions of citizens of West Virginia, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. QUARLES presented sundry petitions of business men of Wisconsin, praying for the enactment of legislation reducing the tax on beer; which were referred to the Committee on Finance.

He also presented 23 petitions of citizens of Wisconsin, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of the Presbytery of Winona, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of 50 citizens of Illinois, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Decatur Brewing Company, of Decatur, Ill., praying for the enactment of legislation reducing the tax on beer to \$1 per barrel; which was referred to the Committee on Finance.

Mr. THURSTON presented a petition of sundry shippers of



Omaha, Nebr., praying that the revenue-stamp tax on bills of lading and telegraphic messages be repealed; which was referred to the Committee on Finance.

He also presented 13 petitions of citizens of Nebraska, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. FRYE presented a petition of Knox Post, No. 120, Department of Maine, Grand Army of the Republic, praying for the enactment of legislation giving preference to veterans in the public service; which was referred to the Committee on Military Affairs.

He also presented three petitions of citizens of Maine, praying for the enactment of the Grout bill, so called, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

#### DISTRICT WATER SUPPLY.

Mr. GALLINGER. Mr. President, it will be recalled that during the past few years there has been much agitation in the District of Columbia concerning the water supply. The death rate from typhoid fever in this city has been alarmingly large, much greater than in most of our American cities and seven or eight times greater than in the great European cities.

Some years ago the health authorities in Washington concluded that the wells of the city were contaminated, and most of the wells were closed, greatly to the disadvantage of the poor people of the District. That having been done, typhoid fever continued, and the death rate has increased rather than diminished.

The agitation now is that the water supply from the Potomac River is responsible for the continuance of typhoid, and that filtration of the water has become an absolute necessity. It is believed by the medical profession that if that shall be attended to the high death rate from typhoid will disappear.

The Medical Society of the District of Columbia, always alert in matters of this kind, appointed a committee of five distinguished physicians, Drs. Samuel C. Busey, G. Wythe Cook, George M. Kober, Z. T. Sowers, and William C. Woodward, who have taken this matter into very careful consideration, and after investigating it with great thoroughness these gentlemen have prepared a report in reference to the proper method to be employed to filter the water, and they also discuss the relative merits between what is called sand and mechanical filtration. They have reached the conclusion that sand filtration, while it is more expensive to install than mechanical filtration, is the desirable method to employ in this District. I am not myself prepared to express an opinion as to the wisdom of the conclusion that these distinguished gentlemen have reached, but think it very probable that it is correct. Of one thing I am fully persuaded, and that is that a filtration plant of the best possible kind should be installed at the earliest possible moment, and the movement in that behalf will have my earnest and cordial support.

I rise now, Mr. President, to present the report of this committee of the Medical Society of the District, and to ask that it may be printed as a document, and that 500 copies in paper covers be printed in addition for the use of the Committee on the District of Columbia.

Mr. COCKRELL. It is not long?

Mr. GALLINGER. It is not a long document.

Mr. COCKRELL. Then let a thousand extra copies be printed, 500 for the committee and 500 additional for the use of the Senate.

Mr. GALLINGER. I think that is a very proper suggestion.

Mr. COCKRELL. I make it because there will be applications for copies to Senators not upon the committee.

Mr. GALLINGER. I ask for an order that 500 copies for the committee and 500 additional copies for the use of the Senate be printed.

The PRESIDENT pro tempore. The Senator from New Hampshire presents the paper to which he has referred and asks that it be printed as a document, and that 500 additional copies be printed for the committee and 500 for the use of the Senate. Is there objection? The Chair hears none, and it is so ordered.

#### ADDITIONAL TAX UPON MALT LIQUORS.

Mr. MASON. I present a statement from Mr. Rudolph Brand, of Chicago, president of the United States Brewers' Association, showing the effect of the present war tax on beer, and claiming that it is paralyzing their industry, and praying that the extra tax be repealed. I ask that the statement be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the statement was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

WAR ON THE BEER TAX—BREWERS CLAIM IT IS PARALYZING THEIR INDUSTRY—A LARGE NUMBER OF FAILURES—PRESIDENT RUDOLPH BRAND, OF THE UNITED STATES BREWERS' ASSOCIATION, PRESENTS STATISTICS SHOWING EFFECT OF THE WAR TAX—CLAIMS MANY ESTABLISHMENTS ARE BEING CONDUCTED WITHOUT PROFIT—SMALL PERCENTAGE OF ENGLISH CAPITAL INVESTED.

Mr. Rudolph Brand, of Chicago, president of the United States Brewers' Association, with other representative brewers, is in the city, having come to Washington for the purpose of impressing upon the minds of the law-

makers the justice of their demand that the extra tax upon beer be repealed. When asked last night by a Post reporter as to the action taken by the committee relative to the tax reduction, Mr. Brand asserted that, in his opinion, the committee would have reached a different conclusion had it not been for many erroneous and untenable statements concerning the effects of the double war tax upon the brewing industry.

"Our recent letter to the Ways and Means Committee," said Mr. Brand, "does not cover the whole ground, as it was simply intended to supplement the arguments we submitted to the committee in April last."

Attention was called by Mr. Brand to the following extracts from the letter referred to:

"Since April the destructive effects of the double war tax have been augmented and aggravated to such an extent that a very large proportion of the smaller establishments have been forced into bankruptcy and out of business, or compelled to seek escape from utter ruin by combining with other breweries, equally hampered and harassed by a tax representing 40 per cent of the market price of their product and entailing losses which, for reasons explained in our previous statements, they can not recoup in the ordinary way in which any tax upon consumption is usually recovered. Since April, 1900, no less than fifteen combinations of from three to twelve once prosperous establishments have been formed under the distressing pressure of the double war tax, and this baneful tendency toward the destruction or the absorption of the smaller manufactories and the combination of large numbers of establishments, whose profits have been either wiped out or reduced to an infinitesimal minimum, is not confined to the smaller cities, but embraces such large brewing centers as Boston, Baltimore, Pittsburg, and others. But even these combinations offer no appreciable relief; they are mere makeshifts of a transitory character. The best proof of this lies in the fact that of the companies whose stocks are quoted in the trade papers, scarcely 20 per cent can pay any interest even on their preferred stock.

"If you consider what an immense cash capital it requires to place the finished product into the market, exclusive of the vast sums of money expended in the purchase of material, the payment of workmen, and the storage and distribution of malt liquors—not to speak of the interest on the capital permanently invested—you will readily perceive why the smaller brewer, whose establishment represents the savings of a lifetime and who has no accumulated available capital to draw upon, must necessarily succumb in an industrial struggle which the imposition of a double war tax has rendered almost hopeless even to those manufacturers who possess a considerable reserve of cash capital.

#### CIVIL WAR TAX NEVER REMOVED.

"This is only one side of the question, but it is the one which shows the pernicious effects of a most unjust tax in the most glaring light, and appeals to other sentiments besides that of justice in the abstract. In our opinion, it should not, however, require such appeals in order to bring about the immediate repeal of the entire extra war tax, superimposed upon the old war tax.

"There was no equitable justification for it at the time of its imposition, because the brewing industry had up to that time uninterruptedly paid the old war tax of \$1 per barrel, while all other manufactures, products, professions, and occupations embraced in the original revenue system, as organized between the years 1861 and 1864, have not paid a single dollar into the Federal Treasury since the termination of the civil war, and do not now contribute one penny toward the Federal revenue. Is it unfair or unpatriotic to ask why one American industry, consuming almost exclusively those highly protected American products which are a source of wealth to the American farmer, should pay a double war tax, amounting to 40 per cent of the market value of its product, while all other American industries remain untaxed? It will not be deemed to be presumptuous, we trust, if we ask what justification there was for imposing or what good reason there is for continuing a tax of \$2 upon a barrel of beer costing \$5, in the face of the fact that at a time (thirty-five years ago) when the market price of beer was \$12, a Republican Administration and a Republican Congress asserted and maintained that a tax of \$1 'was fully up to the revenue standard and should not be increased.'" (See report of the Special Revenue Commission for 1865-66, p. 27.)

"We maintain that common justice imperatively demands the immediate repeal of the additional war tax upon malt liquors. In the entire war-revenue act of 1898 there is not a single tax item, excepting our own, that is unjust or inequitable in itself; none, excepting the beer tax, that has caused or is likely to cause widespread industrial ruin; none, again with the same exception, that must be borne by a comparatively small number of citizens for the exclusive benefit of all those numerous and immensely wealthy industries which, while protected by wise tariff laws, contribute not a single dollar to the internal revenue, and, finally, none that must ultimately affect such large masses of the poorer people.

"The most striking evidence of the correctness of our contention as to the inequality and injustice of the present tax rate lies in the fact that in 1896, when the receipts from internal revenue reached the highest point, viz., \$310,906,984, the three revenue items which have remained in force (at reduced rates as to spirits) since the civil war only yielded \$50,129,877, of which the sum of \$5,115,140 was derived from malt liquors, then selling at \$12 per barrel. The remainder, amounting to \$250,777,107, came from sources of revenue the greater portion of which are not mentioned in the act which imposed upon our product an additional war tax of \$1."

#### SMALL INVESTMENT OF ENGLISH CAPITAL.

"Is it true, as reported in a New York paper," Mr. Brand was asked, "that 80 per cent of capital invested in American breweries is owned by English capitalists?"

In answer to the question Mr. Brand produced figures, from which the following statement is compiled:

There are 24 consolidated companies, originally comprising 79 American breweries, in which English capital is invested. Three of these have been repurchased by their original owners. The total number of American breweries is 1,751. The total capital invested in the 76 English syndicate breweries is about \$80,000,000. The total capital invested in all American breweries (computation based on \$18 for every barrel produced and a production of 30,000,000 barrels, in round numbers) is \$702,000,000.

Of the stock invested in syndicate breweries, fully 40 per cent is held by American citizens; hence the English capital invested in American breweries amounts to \$48,000,000, or less than 7 per cent.

#### RECAPITULATION.

Number of syndicate breweries.....	76
Total number of American breweries.....	1,751
English capital invested in American breweries.....	\$48,000,000
Total capital invested in American breweries.....	\$702,000,000

Proportion of English capital, 7 per cent.

The capital invested in the breweries of Great Britain and Ireland amounted, according to official figures, to \$1,050,000,000 when the production of beer in Great Britain and Ireland amounted to the equivalent of about 48,000,000 American barrels. This shows that our estimate is very low—certainly lower than the actual facts would warrant.

The larger establishments, like those of Ehret, Pabst, Busch, Schlitz, Lemp, Bernheimer, Ruppert, etc., are owned exclusively by American citizens, and



all others, excepting the 76 syndicate concerns, are also exclusively in the hands of Americans, generally their founders or their offsprings, and most of these represent the savings of half a lifetime of arduous labor, economic methods, and frugal habits on the part of their owners.

#### GOVERNMENT POCKETS PROFITS.

"Although there was a decrease in the production of beer last year amounting to 1,000,000 barrels, does not the increase of 7 per cent shown this year weaken the argument of the brewers that the war tax was responsible for last year's decrease?" Mr. Brand was asked.

"This might, as I stated in my letter to the committee, be construed as an evidence of the industry's prosperous condition," said Mr. Brand, "but such a conclusion would be totally erroneous. Continued and ever-increasing prosperity created an increased demand for beer, which the brewers met by a corresponding supply; but in doing so very many realized no profit at all, while all the others manufactured at a very slight margin of gain. It is the Government that pockets the profits, while the brewers, rather than close up their establishments (as so many of them had to do of late), continue operations—some at a loss, others with the smallest possible profit, and many without any profit whatever; all hoping that the double war tax would be repealed at once.

"Besides this, the increase of 7 per cent following a decrease of 1,000,000 barrels in the preceding year only serves to emphasize the correctness of our general statements. In a period of such unusual prosperity as characterized the last two years, the natural increase in the production of beer would, in the absence of the exorbitant tax, have amounted to at least 25 per cent in each one of the prosperous years. If you analyze the development of the industry from 1863 up to date, you will find that, far from being an exaggerated estimate, this is rather lower than facts warrant. As an example, I may quote the increase in the production of malt liquors in the very first year of prosperity (1880) after the long period of depression following the panic of the fall of 1873. The production then increased from about 11,000,000 barrels in 1879 to about thirteen and one-third millions in 1880, being 20 per cent."

#### AN ERROR CORRECTED.

"By the way," continued Mr. Brand, "I heard a statement made that the increase in the consumption of beer since the civil war was not at all uniform, the inference intended to be conveyed being that the war tax had nothing to do with the decrease of 1899 and the inconsiderable increase of the past year. Now, the fact is that there never was a decrease in the production of beer, excepting in one instance, unless caused either by business panics or excessive taxation. The one single exception is a decrease of 1 per cent in the year 1868, the result of overproduction of the preceding two years, in which the aggregate increase amounted to 61 per cent. There was no decrease, in fact, excepting this one from 1863 to 1874, the year following the panic of 1873. In that period of business depression, which lasted six years, there were three slight decreases, followed in 1880, the first year of prosperity, by the enormous increase of 20 per cent. From 1880 to the next panic, in 1893, a period of thirteen years, there was not a single decrease. The next decrease was caused by the Raines law in the State of New York, the numerical limitation of saloons in some and the unfavorable results of the no-license vote in other States.

"The two years of the greatest prosperity ever experienced in our country brought to the brewers, as I have stated, a loss of 1,000,000 barrels in 1899, and an insignificant increase of 7 per cent in the past year. According to the nature of the industry and its product and the character of its development, as demonstrated by the figures which I shall give further on, there should at the least have been as large an increase in both years as is recorded for the first year of prosperity after the panic of 1873, viz. 20 per cent. Without the imposition of this unjust additional tax the Government would then have derived an enormously increased revenue from malt liquors, and American brewing, instead of being in a most deplorable condition, would to-day be as prosperous as all other trades."

#### STATISTICS OF PRODUCTION.

The figures to which Mr. Brand referred follow:

Year.	Barrels.	Increase.		Decrease.
		Per cent.	Per cent.	
1863.....	2,006,625			
1864.....	3,141,381	56½		
1865.....	3,657,181	16		
1866.....	5,115,140	40		
1867.....	6,207,403	21		
1868 a.....	6,146,602			1
1869.....	6,342,055	3		
1870.....	6,574,617	3½		
1871.....	7,740,260	17½		
1872.....	8,695,427	11		
1873 b.....	9,633,323	11		
1874.....	9,600,897			½
1875.....	9,452,697			1½
1876.....	9,902,352	5		
1877.....	9,810,060			1
1878.....	10,241,471	4		
1879.....	11,103,084	8		
1880 c.....	13,347,111	20		
1881.....	14,311,028	7		
1882.....	16,952,065	18½		
1883.....	17,757,892	5		
1884.....	18,998,619	7		
1885.....	19,185,953	1		
1886.....	20,710,933	8		
1887.....	23,121,526	11½		
1888.....	24,683,119	6½		
1889.....	25,119,853	2		
1890.....	27,501,944	9½		
1891.....	30,021,079	8½		
1892.....	31,856,626	6		
1893 d.....	34,501,179	8½		
1894.....	33,362,373			3½
1895.....	33,589,784			
1896.....	25,859,250	7		
1897 e.....	34,462,822			4
1898.....	37,529,339	9		
1899 f.....	36,581,114			2½
1900.....	39,331,150	7½		

a Result of overproduction of preceding two years.

b Panic in the fall of 1873.

c First year of prosperity after the long depression of business following the panic of 1873.

d Panic in August, 1893.

e Raines law in State of New York went into effect March 23, 1896.

f War-revenue act.

#### BRITISH TAX ON BEER.

"How does the tax on beer in Great Britain compare with the American tax?" Mr. Brand was asked.

"The recent history of British beer taxation presents two very interesting and highly significant facts," he said. "The one is that when Gladstone endeavored to saddle the expense of the Egyptian war upon the brewers, or, as the British papers had it, upon the poor man, he was not only defeated in his object, but had to vacate his seat to make room for Salisbury. To defray the expenses of the present Boer war, the Government, among other taxes, imposed an additional tax of 1 shilling upon malt liquors, the tax then amounting to 8 shillings 8 pence upon a barrel of beer of 36 imperial gallons, equal to 43 American gallons; hence the present British beer tax, with the added war tax, is \$1.35 upon the equivalent of an American barrel.

"It is to be considered, however, that the American brewer, although he gets less for his product than his British colleague, pays wages doubly as high as are being paid in Great Britain, and is at a further disadvantage, as compared with the British brewer, in so far as all the raw materials he uses are protected by a high tariff, which naturally increases the cost, while the British brewer has all the benefits of free trade. Furthermore, his economic condition is far more favorable, because the dispensers of his product are not harassed by excessive municipal and State taxes, as is the case in our country."

"What is the nature of the rebate of 7½ per cent now allowed upon the beer tax?"

"The rebate of 7½ per cent represents the losses sustained by the brewer by reason of leakage, the bursting of barrels, and the spoiling of beer, either in transit or in the hands of the dealers. In such cases the brewer not only loses entirely the value of his product, but also the \$2 which he paid to the Government in the form of the stamp affixed to the vessels containing the liquid rendered unfit for use. It has been ascertained with almost absolute accuracy that the losses sustained by the brewer in this manner amount to 7½ per cent, and the allowance of this amount as a rebate is purely a matter of justice, and not at all a favor to the brewer, as some are inclined to regard it. A similar allowance is made in all beer-producing countries."

#### OTIS B. VANFLEET.

Mr. COCKRELL. In connection with the bill (S. 5075) to correct the military record of Otis B. Vanfleet, I present the petition of Otis B. Vanfleet, his affidavit, and the affidavits of James Gregory, E. J. Collison, and S. A. Smith. I move that the papers be referred to the Committee on Military Affairs, for consideration in connection with that bill.

The motion was agreed to.

#### ASSISTANT TO ATTORNEY FOR THE DISTRICT OF COLUMBIA.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia to report a joint resolution and to ask for its present consideration. It relates to a small matter connected with the District, and there is some reason why the joint resolution should be passed at once.

The joint resolution (S. R. 135) authorizing the Commissioners of the District of Columbia to employ an additional assistant to the attorney was read the first time by its title and the second time at length, as follows:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are, authorized to employ an additional assistant to the attorney for said District, with compensation at a rate not exceeding \$1,600 per annum from the date of this act.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PROMOTION OF COMMERCE AND INCREASE OF TRADE.

The PRESIDENT pro tempore. The Committee on Commerce instructed the chairman of the committee, the junior Senator from Maine, to report certain amendments to the pending shipping bill, so called. The committee directed the amendment to be printed in a bill indicating the amendments reported to-day from the amendment hitherto reported, and the junior Senator from Maine reports it to the Senate and asks the following order in relation to the bill:

Ordered, That there be printed for the use of the Senate 1,000 copies, in addition to the usual number, of Senate bill No. 727, known as the shipping bill, with the amendments proposed by the Committee on Commerce.

Mr. VEST. I should like to have the amendments read as they stand now.

The PRESIDENT pro tempore. They will be printed by tomorrow morning and on every Senator's desk.

Mr. VEST. I should like to hear them this morning for certain reasons.

The PRESIDENT pro tempore. The Secretary will read only the last amendments, those in large letters.

The Secretary read as follows:

In section 1, page 2, line 1, after the words "nineteen hundred," insert "and one;" so as to read:

"That from and after the 1st day of July, A. D. 1901, there shall be paid, subject to the provisions hereinafter contained, out of any money in the Treasury not otherwise appropriated, to the owner or owners of any vessel duly registered by a citizen or citizens of the United States (including as such citizens corporations created under the laws of the United States or any of the States thereof), and being at the time of entry engaged in the foreign trade of the United States, which shall be entered in the United States from a foreign port, or from any port belonging to the United States, the trade between which and the Atlantic, Gulf, and Pacific coast ports of the United States shall happen not to be confined to vessels of the United States, compensation as herein after provided; that is to say."

In section 1, page 3, line 15, after the word "her," insert "capacity for carrying commercial cargo," striking out all from the word "her" to the word "aforesaid," in line 9, on page 4; so as to make the amendment read:

No vessel shall be entitled to the full compensation under this clause unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required.

In section 1, page 7, line 6, after the word "year," insert:

And in case the said Atlantic Ocean trade shall not require the whole amount of the said 70 per cent and the said Pacific Ocean trade shall require, in respect of the vessels engaged in said Pacific Ocean trade, the expenditure of more than the said 30 per cent of said \$9,000,000 in any such year, there may be expended, pursuant to the provisions of this act, any sum within the said \$9,000,000 remaining and not earned, as aforesaid, in respect of the vessels in the Atlantic Ocean trade.

In section 8, page 12, line 19, after the word "vessel," insert "while;" and in line 24, after the word "one," insert "and seven," striking out the words "six, nine, and ten;" so as to read:

(c) A vessel while employed in the coasting trade; a vessel on a voyage during any part of which she shall have carried passengers or cargo which, under the laws of the United States, could not lawfully have been carried by a foreign vessel, or a vessel employed in the fisheries, except as provided in sections 1 and 7 of this act.

In section 10, strike out from page 14, line 8, to page 16, line 7, inclusive, and insert:

(a) To such foreign-built steamships as were on the 1st day of February, A. D. 1899, engaged in an established freight or passenger business, or both, from a port of the United States, and as have received, or shall be fit to receive, the Class A1 in the Record of American and Foreign Shipping, or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit, and as were also on the said 1st day of February, A. D. 1899, actually owned by and then really representing the capital of a citizen or citizens of the United States (including as such citizens corporations created under the laws of the United States or any of the States thereof), or a foreign corporation or association of which not less than a majority of the capital stock thereof was on the 1st day of February, A. D. 1899, actually owned by and really representing the capital of a citizen or citizens of the United States (including as such citizens corporations created under the laws of the United States or any of the States thereof), upon such American owner or owners of such majority interest obtaining a full and complete transfer of and title to such steamships from the foreign corporation or association owning the same, and proving to the satisfaction of the Secretary of the Treasury that all the foregoing stated requirements have been complied with.

(b) To such foreign-built steamships as shall have been under contract for construction and duly authenticated copies of said contract or contracts therefor shall have been filed with the Secretary of the Treasury on or before the 1st day of February, A. D. 1899, and which contract or contracts shall have been in due course carried into execution and either completed or in the course of performance on or before the 1st day of January, A. D. 1900, and which steamship shall have been already completed under any such contract or contracts or shall, when built as provided for in this act and the registry requested, receive, or be fit to receive, the Class A1 in the Record of American and Foreign Shipping, or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit, such vessels having been actually and originally contracted for on or before the said 1st day of February, A. D. 1899, by a citizen or citizens of the United States (including as such citizens corporations created under the laws of the United States or any of the States thereof), who shall have been such since the 1st day of February, A. D. 1899, or by a foreign corporation or association of which not less than a majority of the shares of the capital thereof shall have been actually owned by a citizen or citizens of the United States (including as such citizens corporations created under the laws of the United States or any of the States thereof), and really representing American capital on the said 1st day of February, A. D. 1899, and shall have continued to be so owned until.

On page 21, line 19, at the end of section 10, insert:

All fittings and machinery forming a part of the construction of vessels built in the United States under the provisions of this act shall be of American manufacture, provided they can be obtained in this country.

The PRESIDENT pro tempore. Is there objection to the order printing the bill with these amendments? Without objection, the order is made.

#### MESSANGER FOR OFFICIAL REPORTERS.

Mr. GALLINGER. I report favorably, with an amendment, from the Committee to Audit and Control the Contingent Expenses of the Senate, a resolution which was referred to that committee. I ask that it be read, and I also ask for its immediate consideration.

The resolution submitted yesterday by Mr. ALLISON was read, as follows:

*Resolved*, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to appoint a messenger for the Official Reporters of the Senate, whose services shall be devoted exclusively to the business of said Official Reporters, and that the messenger so appointed shall be selected by said Official Reporters, and paid from the contingent fund of the Senate at the rate of \$1,440 per annum until otherwise provided by law, said appointment to date from the beginning of the present session.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Strike out the words at the end of the resolution, "said appointment to date from the beginning of the present session."

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was agreed to.

The resolution as amended was agreed to.

#### BILLS INTRODUCED.

Mr. DEBOE introduced a bill (S. 5077) to divide Kentucky into two judicial districts and to provide officials therefor and to fix the times and places of holding courts therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PLATT of New York introduced a bill (S. 5078) granting a pension to Charles Sabin Taft; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 5079) for the relief of William H. Crawford; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 5080) granting an increase of pension to James T. Chalfant; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 5081) granting a pension to J. B. Whiting; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 5082) to provide for the holding of the circuit and district courts of the United States for the eastern district of Arkansas; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. WOLCOTT introduced a bill (S. 5083) granting an increase of pension to Charles Ambrook; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5084) granting a pension to Charles J. Clark; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PRITCHARD introduced a bill (S. 5085) to correct the military record of H. A. White; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. THURSTON introduced a bill (S. 5086) for the relief of the members of the First, Second, and Third Marine Corps, organized under the order of Maj. Gen. John C. Frémont, dated September 12, 1861, and also for the relief of the legal representatives of the deceased members of the said Marine Corps, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

#### REPORT ON FOREIGN LABOR LAWS.

Mr. KYLE submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That from the plates of the Bulletins of the Department of Labor there shall be printed and bound in cloth, as a separate document, with introduction and index, 8,000 copies of a Report on Foreign Labor Laws, 1,000 copies for the Senate, 2,000 copies for the House of Representatives, and 5,000 copies for the Department of Labor.

FRANK E. KELLOGG.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (H. R. 4400) for the relief of Frank E. Kellogg, collector of the Sixth internal-revenue district of Missouri. It is a House bill, reported favorably by the senior Senator from Rhode Island [Mr. ALDRICH], and relieves the beneficiary from responsibility for some stamps that were destroyed in the office without any fault of his.

The PRESIDENT pro tempore. The morning business is closed. The Senator from Missouri asks unanimous consent for the present consideration of a bill which will be read in full to the Senate for its information.

The Secretary read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to release and discharge Frank E. Kellogg, collector of the Sixth internal-revenue district of the State of Missouri, from any liability he may be under to the United States by reason of the alleged loss of a certain book, No. 1920, containing retail liquor dealers' internal-revenue special-tax stamps of the value of \$2,331.25, and the Auditor for the Treasury Department is hereby authorized to make the necessary entries upon his books showing the discharge of said Kellogg from such liability: *Provided*, That the Secretary of the Treasury shall first be satisfied that said loss really occurred, and that no damage has been or will be sustained by the United States by such release: *And provided further*, That the said Kellogg shall first execute a bond of indemnity to the United States, with sufficient surety, to be approved by the Secretary of the Treasury.

Mr. PLATT of Connecticut. I think the bill is all right, and if the report is not long I ask that the report may be inserted in the RECORD without reading. I want the RECORD to show why it is that we give this relief.

Mr. COCKRELL. I do not think the Senator from Rhode Island, who reported the bill—

Mr. PLATT of Connecticut. There is no objection to having the report put in the RECORD?

Mr. COCKRELL. I do not think the Senator from Rhode Island accompanied it with any report.

The PRESIDENT pro tempore. There is no report accompanying the bill.

Mr. PLATT of Connecticut. I know about the case; I know it is all right; but I want the RECORD to show why it is passed.

Mr. COCKRELL. The Senator from Rhode Island did not present a written report.

Mr. PLATT of Connecticut. That is all right.



The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed with an amendment the bill (S. 4300) to increase the efficiency of the military establishment of the United States in which it requested the concurrence of the Senate.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and forty-five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, December 10, 1900, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate December 7, 1900.*

##### APPOINTMENT IN THE ARMY.

Col. John F. Weston, Assistant Commissary-General of Subsistence, to be Commissary-General of Subsistence with the rank of brigadier-general, December 6, 1900, vice Eagan, retired from active service.

##### APPOINTMENT IN THE VOLUNTEER ARMY.

Capt. Frank B. McKenna, Forty-sixth Infantry, United States Volunteers (first lieutenant, Fifteenth Infantry, United States Army), to be inspector-general of volunteers with the rank of major, December 6, 1900, vice West, appointed lieutenant-colonel and inspector-general of volunteers.

#### WITHDRAWALS.

*Executive nominations withdrawn December 7, 1900.*

Joseph C. Auld, William W. Alderson, and Jule M. Hartley to be mineral-land commissioners in Montana.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 7, 1900.*

##### ASSISTANT COLLECTOR OF CUSTOMS.

Samuel D. Dickinson, of New Jersey, to be assistant collector of customs at Jersey City, N. J., in the district of New York, in the State of New York.

##### POSTMASTER.

Alfred J. Dunn, to be postmaster at Wallace, in the county of Shoshone and State of Idaho.

#### HOUSE OF REPRESENTATIVES.

FRIDAY, December 7, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### LEAVE OF ABSENCE.

Leave of absence was granted to Mr. CLARKE of New Hampshire indefinitely, on account of sickness.

##### OLEOMARGARINE BILL.

The SPEAKER. The Clerk will report the special order for to-day.

The Clerk read as follows:

*Resolved*, That on December 6, immediately after the reading of the Journal, it shall be in order to consider in the House, as in the Committee of the Whole, the bill (H. R. 3717) "making oleomargarine and other imitation dairy products subject to the laws of the State and Territory into which they are transported, and to change the tax on oleomargarine." (Order made June 5, 1900, and changed on December 6 to Friday, December 7, 1900.)

The SPEAKER. In pursuance of these orders, the Clerk will report the bill to the House as in Committee of the Whole.

The Clerk read as follows:

*Be it enacted, etc.*, That all articles known as oleomargarine, butterine, imitation butter, or imitation cheese, or any substance in the semblance of butter or cheese not the usual product of the dairy and not made exclusively of pure and unadulterated milk or cream, transported into any State or Territory, and remaining therein for use, consumption, sale, or storage therein, shall, upon the arrival within the limits of such State or Territory, be subject to the operation and effect of the laws of such State or Territory enacted into the exercise of its police powers to the same extent and in the same

manner as though such articles or substances had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise: *Provided*, That nothing in this act shall be construed to permit any State to forbid the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

SEC. 2. That after the passage of this act the tax upon oleomargarine, as prescribed in section 8 of the act approved August 2, 1896, and entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," shall be one-fourth of 1 cent per pound when the same is not colored in imitation of butter; but when colored in imitation of butter the tax to be paid by the manufacturer shall be 10 cents per pound, to be levied and collected in accordance with the provisions of said act.

Mr. HENRY of Connecticut. Mr. Speaker, in view of the brief time allowed to consider this bill—only one day—and the urgent demand of many gentlemen to occupy time, I wish to ask unanimous consent for general leave to print for ten days.

The SPEAKER. The gentleman from Connecticut asks unanimous consent for general leave to print upon this bill—for what length of time?

Mr. HENRY of Connecticut. For ten days, confined to the subject-matter.

The SPEAKER. For ten days, the debate to be confined to the subject-matter of the bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. HENRY of Connecticut. Mr. Speaker, the bill now before the House comes here with a report approved by the majority of the Committee on Agriculture. It is but fair to say, however, that seven members of that committee, including the chairman, dissent and prefer to report a substitute bill of an entirely different character.

The SPEAKER. Will the House please be in order, and gentlemen take their seats?

Mr. BAILEY of Texas. Mr. Speaker, before the gentleman from Connecticut proceeds, I desire to inquire if there has been any attempt to agree upon the time when debate shall conclude and a vote be taken?

Mr. HENRY of Connecticut. Not yet; but of course there will be an equal division of time.

Mr. BAILEY of Texas. There are a good many gentlemen on this side, and doubtless on the other side, inquiring when the vote will be taken, and, if there has been any time agreed upon, I should like to be able to answer the question.

Mr. TAWNEY. I would like to ask the gentleman from Connecticut if it is not possible to effect an agreement at this time, so that members may know about when the vote is to be taken. A number have asked me, and some of them want to stay here and hear the discussion, while others do not, but want to be here when the vote is taken.

Mr. BAILEY of Texas. There are many gentlemen here who are anxious to know when the vote is to be taken.

Mr. TAWNEY. That is what I say.

Mr. BAILEY of Texas. And if it is possible to agree on a time, or if it is expected that an attempt to reach an agreement will be made, that had better be done in the beginning.

Mr. GROUT. It has been thought it would be well enough to let the debate run for a time and then make some arrangement about closing the debate.

Mr. BAILEY of Texas. The only trouble is this: We should dislike to have the debate proceed for two or three hours and then have a motion made for the previous question.

Mr. GROUT. Oh, there will be no snap judgment with reference to this bill; none whatever.

Mr. PAYNE. It strikes me it would be much easier to agree upon a limitation of debate before the debate begins than to have the debate proceed without such an understanding.

Mr. GROUT. Very well; if the gentleman so desires, an understanding can probably be reached now as to when the vote shall be taken.

Mr. WADSWORTH. I suggest that the general debate run until half past 4 o'clock, that then the debate under the five-minute rule proceed until half past 5 o'clock, at which time a vote be taken. That is only my suggestion. I am willing, of course, to abide by the wish of the House.

Mr. TAWNEY. I suggest that the vote be taken at 5 o'clock.

Mr. GROUT. It is expected that there will be two roll calls before this matter can be disposed of. One will be upon the bill which I understand is to be proposed as a substitute, and then the friends of the bill will want a roll call on the bill itself. Now, if we do not begin to vote until 5 o'clock, it will be half past 6 o'clock or 7 o'clock before the session closes.

Mr. PAYNE. What does the gentleman suggest?

Mr. GROUT. I would suggest half past 4 as the time for the conclusion of the debate, thus allowing time for the votes to be taken and still permitting us to close the session at a seasonable hour.

Mr. WILLIAMS of Mississippi. Is it proposed to limit the general debate on this bill to four hours and a half?